# FROMMER LAWRENCE & HAUG LLP

745 Fifth Avenue New York, New York 10151 Telephone: (212) 588-0800 Facsimile: (212) 588-0500 E-mail: Firm@flhlaw.com

RECEIVED CENTRAL FAX CENTER

MAR 3 1 2006

## **FACSIMILE COVER LETTER**

To: Examiner Nashaat T. Nashed

Group Art Unit 1656

Firm: U.S. Patent and Trademark Office

**Facsimile**: 571 273-8300

From: Thomas J. Kowalski

**Date:** March 31, 2006

Re: U.S. Patent Application No. 10/627,473

Crystal Structure Of Beta Site App Cleaving Enzyme (BACE) And

Methods Of Use Thereof

Attorney Docket No. 674553-2002.1

Number of Pages:

(including cover page)

3

cc:

If you do not receive all pages or are unable to read the transmission, please call and ask for Sarah Marcano (Ext. 2064).

### CONFIDENTIALITY NOTICE

The documents accompanying this transmission contain confidential information intended for a specific individual and purpose. The information is private, and is legally protected by law. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this facsimile is strictly prohibited.

Document4

PATENT 674553-2002.1

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant** 

Laurent Michel Marie VUILLARD et al.

RECEIVED

Serial No.

10/627,473

CENTRAL FAX CENTER

Filed

MAR 3 1 2006

July 25, 2003

For

CRYSTAL STRUCTURE OF BETA SITE APP CLEAVING

**ENZYME (BACE) AND METHODS OF USE THEREOF** 

Examiner

To Be Assigned

Art Unit

1632

745 Fifth Avenue New York, NY 10151

#### FACSIMILE

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

March 31, 2006

Date of Signature

#### REQUEST FOR NEW OFFICE ACTION WITH NEW DATE FOR RESPONSE

Reg. No. 32, 147

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

With respect to the Office Action containing a Restriction Requirement mailed on March 8, 2006, setting a one-month period for reply, Applicants respectfully request that the Examiner withdraw the current Office Action, and issue a new Office Action, as the March 8, 2006 Office Action fails to consider claims 52-55, and Claims 34-51 are listed as both Group III and Group IV. Thus, it is not clear to Applicants what the Examiner intended in the restriction requirement,

PATENT 674553-2002.1

and Applicants cannot duly reply to the restriction requirement as written. A new Office Action is thus necessary, along with resetting the term for reply.

In view of the above, Applicants respectfully request that a new Office Action with a new term for reply be issued for the above-identified application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

Attorneys for Applicants

Thomas

Thomas J. Kowalski Reg. No. 32,147

Angela M. Collison Reg. No. 51,107 (212) 588-0800